

## **815 KAR 4:040. Elevator mechanic licensing requirements.**

RELATES TO: KRS 198B.4003, 198B.4009, 198B.4013, 198B.4023, 198B.4025

STATUTORY AUTHORITY: KRS 198B.4009, 198B.4013, 198B.4023, 198B.4025

NECESSITY, FUNCTION, AND CONFORMITY: KRS 198B.4009(3) authorizes the Department of Housing, Buildings and Construction to promulgate administrative regulations necessary to implement KRS 198B.400 to 198B.540. KRS 198B.4009(1) requires elevator mechanics to be licensed and KRS 198B.4013 provides the eligibility requirements to be met for issuance of an elevator mechanic's license. KRS 198B.4023 authorizes the department to promulgate administrative regulations establishing the requirements for inactive license and reactivation procedures. KRS 198B.4025 establishes the continuing education requirements for elevator licensee renewals. This administrative regulation establishes the licensure requirements for elevator mechanics and establishes procedures for license renewal.

Section 1. Initial Application Requirements. (1) Filing the application. An applicant seeking an elevator mechanic license or an accessibility and residential elevator mechanic license shall submit to the department:

- (a) A completed, signed, and notarized Elevator Mechanic License Application on Form EV-4;
  - (b) An initial license application fee of ninety-six (96) dollars for a twelve (12) month license;
  - (c) Proof of the applicant's experience as required by KRS 198B.4013 and this administrative regulation; and
  - (d) A passport-sized, color photograph of the applicant taken within the past six (6) months.
- (2) Proration of fees.
- (a) The initial license fee may be prorated.
  - (b) If prorated, the initial license fee shall not be prorated for less than seven (7) months or more than eighteen (18) months.
- (3) Termination of application.
- (a) The initial application shall remain pending until all requirements are met up to a period of one (1) year after the date the application is received.
  - (b) At the end of one (1) year, the application shall be void.

Section 2. Examination Requirements. (1) An applicant who applies for licensure under the provisions of KRS 198B.4013(2)(a) shall take and pass the examination known as the Kentucky Elevator Mechanic Examination administered in compliance with this section. The Kentucky Elevator Mechanic Examination shall test the applicant's basic knowledge of codes, standards, and current technological and industry recommended practices with respect to the proper installation, maintenance, repair, remodeling, or alteration of elevators and elevator systems.

(2) An applicant who applies for licensure under the provisions of KRS 198B.4013(2)(b) shall take and pass the examination known as the Kentucky Accessibility and Residential Elevator Mechanic Examination. The Kentucky Accessibility and Residential Elevator Mechanic Examination shall test the applicant's knowledge of codes, standards, and current technological and industry recommended practices with respect to the proper installation, maintenance, repair, remodeling, or alteration of accessibility lifts and private residential elevators.

(3) The department or its designee shall develop, administer, and score the Kentucky Elevator Mechanic Examination and the Kentucky Accessibility and Residential Elevator Mechanic Examination.

(4) Reasonable accommodations shall be made if necessary to provide accessibility to dis-

abled applicants, upon request.

(5) Except as provided by subsection (9) of this section, an applicant shall successfully complete with a passing score of at least seventy (70) percent the Kentucky Elevator Mechanic Examination or Kentucky Accessibility and Residential Elevator Mechanic Examination, as applicable.

(6)(a) A request to sit for the Kentucky Elevator Mechanic Examination or the Kentucky Accessibility and Residential Elevator Mechanic Examination shall be made directly to the department-approved testing facility.

(b) A list of facilities and contact information shall be provided to applicants following receipt of the application.

(7) The cost shall not exceed \$100 for either the Kentucky Elevator Mechanic Examination or for the Kentucky Accessibility and Residential Elevator Mechanic Examination.

(8) A passing score on an approved elevator examination shall be valid for a period of two (2) years.

(9) Upon application by a testing agency, a national code group, or by an applicant for licensure, the department shall recognize another examination as equivalent to the examinations administered by the department or department's designee if the person or group submitting the examination demonstrates that the examinations cover the same material and require the same level of knowledge as the department's examinations.

Section 3. Experience Requirements. An applicant for licensure shall meet the experience requirements of this section. (1) Minimum experience. An applicant shall have the experience required by KRS 198B.4013(2).

(2) Records of experience.

(a) Proof of listed experience shall be provided by W-2s or an affidavit from a licensed elevator contractor or the equivalent.

(b) Additional proof of experience may be requested by the department, prior to or after licensing, if the department finds reason to believe that the experience shown is insufficient or nonexistent.

Section 4. Renewal Requirements and Procedures. (1) Filing for renewal. Each license shall be renewed annually. To renew an elevator mechanic or accessibility and residential elevator mechanic license, the licensee shall submit to the department:

(a) A completed, signed, and notarized Elevator License Renewal Application on Form EV-7;

(b) A renewal fee of ninety-six (96) dollars made payable to the Kentucky State Treasurer;

(c) Proof of attendance and completion of eight (8) hours of annual continuing education prior to the application for renewal in accordance with KRS 198B.4025; and

(d) Completed continuing education provider evaluation forms for each continuing education class attended.

(2) Each application for license renewal shall be submitted to the department by each licensee with a United States postmark dated no later than the last day of the licensee's birth month.

(3) A renewal fee of ninety-six (96) dollars shall be paid prior to renewal. The department shall send a renewal application to each licensee annually to be returned with the required fee.

(4) A renewal application submitted late, but with a United States postmark dated no more than sixty (60) days after the last day of the licensee's birth month, shall be accepted, but a restoration fee, in accordance with Section 6(1) of this administrative regulation, shall be added to the annual renewal fee.

(5) Failure to renew by sixty-one (61) days after the last day of the licensee's birth month shall terminate the license, and the applicant shall comply with all requirements for a new license pursuant to Section 1 of this administrative regulation for reinstatement and a reinstatement fee, in accordance with Section 6(2) of this administrative regulation, shall be added to the annual renewal fee.

(6) Inactive elevator mechanic or accessibility and residential elevator mechanic renewal.

(a) To place an elevator mechanic's or accessibility and residential elevator mechanic's license in inactive status, the elevator mechanic or accessibility and residential elevator mechanic shall pay annually an inactive fee of forty-eight (48) dollars.

(b) An inactive elevator mechanic or accessibility and residential elevator mechanic shall not perform work within the Commonwealth if the work requires an elevator mechanic's or accessibility and residential elevator mechanic's license.

(7) Continuing education requirements shall not be required for renewal if the initial license was issued within twelve (12) months of renewal.

(8) The application for renewal or reactivation of a licensed elevator mechanic or accessibility and residential elevator mechanic shall be denied for incompleteness if the applicant fails to:

(a) Pay the fees required for renewal and restoration, if applicable;

(b) Comply with applicable continuing education requirements; or

(c) Submit the renewal application as required by this section.

(9) Reactivation of Inactive Elevator Mechanic's or Accessibility and Residential Elevator Mechanic's License. To reactivate an elevator mechanic or accessibility and residential elevator mechanic license, the inactive elevator mechanic or accessibility and residential elevator mechanic shall pay the annual renewal fee, the additional forty-eight (48) dollar reactivation fee, and comply with the continuing education requirements established in 815 KAR 4:050.

Section 5. Limitation on Applicability. A licensed elevator mechanic may perform work on accessibility and residential elevators without obtaining an accessibility and residential elevator license.

Section 6. Special Services and Fees. In addition to the other fees required by this administrative regulation, the following special fees shall also be applied:

(1) Restoration fee. The fee for renewal of expired licenses shall be twenty-five (25) dollars.

(2) Reinstatement fee. The fee for reinstatement of a terminated license shall be twenty-five (25) dollars.

(3) Reactivation fee. The fee for reactivation of an inactive license shall be forty-eight (48) dollars.

(4) Duplicate license fee. A verified lost or destroyed license shall be replaced upon payment of a ten (10) dollar fee.

Section 7. Revocation or Suspension of License. A license issued pursuant to this administrative regulation may be suspended or revoked by the commissioner for any of the reasons stated in KRS 198B.4033.

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Elevator Mechanic License Application", Form EV-4, June 2013; and

(b) "Elevator License Renewal Application", Form EV-7, June 2013.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law,

at the Department of Housing, Buildings and Construction, Division of Building Code Enforcement, Elevator Section, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601-5412, Monday through Friday, 8 a.m. to 4:30 p.m. (38 Ky.R. 438; 917; eff. 11-30-11; 39 Ky.R. 625; 1164; eff. 1-4-13; 40 Ky.R. 463; 825; eff. 10-23-13.)